

## **Remarks**

### **I. Informalities**

The applicants have made the appropriate changes to the specification to address each of the informalities that were noted by the Examiner.

### **II. Rejection Under § 112**

Claim 4 was rejected because, according to the Office Action, it does not clearly indicate whether “a radio channel access network” is the same as the “radio channel access network” recited in claim 1. The Applicants respectfully traverse this rejection.

The “radio channel access network” in claim 4 may be the “radio channel access network” of claim 1, or it may be some other “radio channel access network.” This concept is clearly communicated through the use of the indefinite article “a.” Therefore, the Applicants believe that claim 4 is not indefinite.

As noted in several places in the application, the embodiments described in the present application include a mobile, on-board network system that is capable of moving from one network to another network. Changing the language of claim 4 to “the radio channel access network” would unduly restrict the scope of claim 4. Thus, the Applicants respectfully request that this rejection be withdrawn.

### **III. Rejections Under § 103(a)**

The Office Action rejected claims 1-5 as being no more than an obvious modification of Clark (WO 98/12832). In the Office Action, the Examiner acknowledges that Clark does not teach a router managing a local network, but indicates that it would have been obvious to include a router managing a local network. The Applicants respectfully disagree.

The Applicants would first like to point out one important distinction between claims 1-5 and Clark, which relates to the use of a router. In the system described in Clark, *the LAN is not described as being mobile — only the hub is described as being mobile:*

The mobile hub is in the form of a mobile vehicle (e.g. a van) and is configured to transfer information as a single nomadic transmission/reception point between the microwave communication system and the wireless LAN.

(Clark, p.3, fourth line under “Overview of the Present Invention”)

The system includes one or more mobile hubs, such as the mobile hub 103, and one or more wireless local area network (LAN) 104.

(Clark, p.5, sixth line under “Exemplary Network System Embodiments”)

In one embodiment, the LAN 104 covers an “on site” radius of up to 1/2 mile at 2Mbps from a mobile hub station, strategically placed at the designated location, such as mobile vehicle 103.

(Clark, p.6, line 21)

Thus, even if the hub (103B) or the server (103A) could somehow be treated as a “router,” or if the remote wireless LAN 104 had a router, Clark would still fail to teach “an on-board network system, comprising a router managing a local network” as required by claims 1-5, since the Clark does not teach or suggest that the LAN 104 is “on-board.” In fact, by emphasizing the mobility of the hub (103B) as a separate unit from the LAN, Clark *teaches away* from the LAN 104 being mobile.

Furthermore, it would not have been obvious to modify Clark to include a router. It is well-known that a hub, unlike a router, does not filter or route any of the data that it receives, but rather passes it along to all of the computers of the LAN that are connected to it. It is also well-known that a hub, by itself, does not provide for the use of any sort of “internal” or “private” IP addressing for the computers of the LAN. Thus, a hub can’t define a “sub-network” in the same way that a router can. This is why the LAN 104 is not mobile from network to network — it does not have a router that can isolate the LAN from changes in the IP address. This is why, as described in Clark, the LAN is only described as operating within the context of a *private* WAN:

In one embodiment, the wireless WAN of the present invention operates as a private Intranet using the TCP/IP protocols of the Internet.

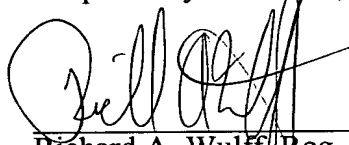
(Clark, p.4, line 2) (underlining added). For these reasons, the Applicants respectfully request that the § 103 rejections be withdrawn.

In re Application of: Mereau et al.  
Application No. 09/743,153

### **III. Conclusion**

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



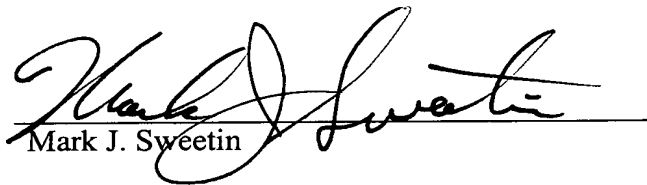
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Date: June 15, 2004

### **CERTIFICATE OF MAILING**

I hereby certify that this RESPONSE TO OFFICE ACTION (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: 6-15-04

  
Mark J. Sweetin

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